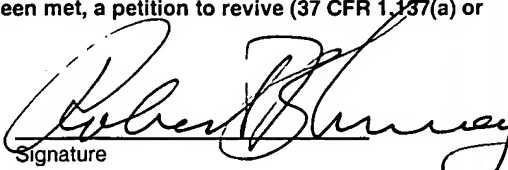


U.S. PATENT/PTO 18 APR 2005

FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 2958-135
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. Application No. (if known) 10/564,823
INTERNATIONAL APPLICATION NO. PCT/EP2004/008053	INTERNATIONAL FILING DATE July 19, 2004	PRIORITY DATE CLAIMED July 18, 2003	
TITLE OF INVENTION 7A5/PROGNOSTIN AND USE THEREOF FOR THE DIAGNOSTICS AND THERAPY OF TUMORS			
APPLICANT(S) FOR DO/EO/US Ulrike STEIN, Holger SCHWABE, Wolfgang WALTHER, Peter Michael SCHLAG			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
ITEMS 11. TO 20. below concern other document(s) or information included:			
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 			

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20. <input type="checkbox"/> Other items or information: <input type="checkbox"/> RO/101 <input type="checkbox"/> RO/105 <input type="checkbox"/> ISA/210(ISR) <input type="checkbox"/> ISA/220 <input type="checkbox"/> IDS/237 <input type="checkbox"/> IB/308 <input type="checkbox"/> IB 401 <input type="checkbox"/> IB/409(IPER) <input type="checkbox"/> IB/416 <input type="checkbox"/> Published Application WO/																		
21. The following fees are submitted: <input type="checkbox"/> Basic National Fee \$300.00	<u>CALCULATIONS</u> \$	<u>PTO USE ONLY</u>																
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations \$200.00	\$																	
23. <input type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations..... \$500.00	\$																	
TOTAL OF 21, 22 AND 23 =		\$																
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.	\$																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Total Sheets</td> <td style="width: 20%;">Extra Sheets</td> <td style="width: 40%;">Number of each additional 50 or fraction thereof</td> <td style="width: 20%;">Rate</td> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">/ 50 =</td> <td></td> <td style="text-align: center;">x 250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate	- 100 =	/ 50 =		x 250	\$									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate															
- 100 =	/ 50 =		x 250															
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$130																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Claims</td> <td style="width: 20%;">Number Filed</td> <td style="width: 40%;">Number Extra</td> <td style="width: 20%;">Rate</td> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">42 -20 =</td> <td style="text-align: center;">22</td> <td style="text-align: center;">X \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">5 - 3 =</td> <td style="text-align: center;">2</td> <td style="text-align: center;">X \$200.00</td> </tr> <tr> <td colspan="3" style="padding: 2px;">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: center;">+ \$360.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims	42 -20 =	22	X \$50.00	Independent Claims	5 - 3 =	2	X \$200.00	Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
Claims	Number Filed	Number Extra	Rate															
Total Claims	42 -20 =	22	X \$50.00															
Independent Claims	5 - 3 =	2	X \$200.00															
Multiple dependent claim(s) (if applicable)			+ \$360.00															
TOTAL OF ABOVE CALCULATIONS =		\$ 130																
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.		\$																
SUBTOTAL =		\$130																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																
TOTAL NATIONAL FEE =		\$130																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$																
TOTAL FEES ENCLOSED =		\$130																
04/21/2006 ATRAXI 00000142 022135 10564823 01 FC: 617 130.00 DA		Amount to be refunded \$																
		Amount to be charged \$																

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<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$<u>130</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No. 06449</p> <p>Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040</p> <p> Signature</p> <p><u>Robert B. Murray</u> Name</p> <p><u>22,980</u> Registration Number</p>		